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Carta Libertatum Angliæ; sive MAGNA CARTA
regis JOHANNIS: ex Autographo Cottoniano.

JOHANNES Dei gratia rex Angliæ, dominus Hyberniæ, dux Normanniæ, Aquitaniæ, & comes Andegaviæ, Archiepiscopus, episcopis, abbatibus, comitibus, baronibus, justiciariis, forestariis, vicecomitibus, prepositis, ministris, & omnibus ballivis & fidelibus suis, salutem. Sciatis, nos, intuitu Dei, & pro salute anime nostre & omnium antecessorum & heredum nostrorum, ad honorem Dei, & exaltationem sancte ecclesie, & emendationem regni nostri, per consilium venerabilium patrum nostrorum Stephani Cantuariensis archiepiscopi, totius Angliæ Primatis & sancte Romane ecclesie Cardinalis, Henrici Dublinensis archiepiscopi, Willielmi Londoniensis, Petri Wintoniensis, Joscelini Bathoniensis & Glastoniensis, Hugonis Lincolnensis, Walteri Wygorniensis, Willielmi Coventrensis, & Benedicti Rossensis, episcoporum; magistri Pandulphi domini pape subdiaconi & familiaris, fratris EymERICI magistri militie Templi in Angliæ; & nobilium virorum Willielmi Marecalli comitis Penbrok, Willielmi comitis Sarum, Willielmi comitis Warrennie, Willielmi comitis Arundellie, Alani de Galweya constabularii Scottie, Warini filii Geroldi, Petri filii Hereberti, Huberti de Burgo senescalli Pictaviæ, Hugonis de Nevill, Marthei filii Hereberti, Thome Basset, Alani Basset, Philippi de Albiniaco, Roberti de Roppele, Johannis Marecalli, Johannis filii Hugonis, & aliorum fidelium nostrorum: in primis concessisse Deo, & hac presenti carta nostra confirmasse pro nobis & heredibus nostris in perpetuum, quod Anglicana ecclesia libera sit, & habeat jura sua integra & libertates suas illesas: & ita volumus observari; quod apparet ex eo, quod libertatem electionum, que maxima & magis necessaria reputatur ecclesie Anglicane, mera & spontanea voluntate, ante discordiam inter nos & barones nostras motam, concessimus & carta nostra confirmavimus, & eam obtinuimus a domino papa Innocentio tertio confirmari; quam & nos observabimus, & ab heredibus nostris in perpetuum bona fide volumus observari. Concessimus etiam omnibus liberis hominibus regni nostri, pro nobis & heredibus nostris in perpetuum, omnes libertates subscriptas, habendas & tenendas eis & heredibus suis, de nobis & heredibus nostris. Si quis comitum vel baronum nostrorum, sive aliorum tenentium de nobis in capite per servitium militare, mortuus fuerit, & cum decesserit heres suus plene etatis fuerit, & relevium debeat, habeat hereditatem suam per antiquum relevium: scilicet heres vel heredes comitis de baronia comitis integra per centum libras; heres vel heredes baronis de baronia integra per centum libras; heres vel heredes militis de feodo militis integro per centum solidos ad plus: & qui munus debuerit, minus det secundum antiquam consuetudinem feodorum. Si autem heres aliquis talium fuerit infra etatem, & fuerit in custodia, cum ad etatem pervenerit, habeat hereditatem suam sine relevio & sine fine. Custos terre hujusmodi heredis, qui infra etatem fuerit, non capiat de terra heredis nisi rationabiles exitus & rationabiles consuetudines; & rationabilia servitia; & hoc sine destructione & vasto

vasto hominum vel rerum. Et si nos commiserimus custodiam alicujus talis terre vicecomiti vel alicui alii qui de exitibus illius nobis respondere debeat, & ille destructionem de custodia fecerit vel vastum, nos ab illo capiemus emendam: & terra committatur duobus legalibus & discretis hominibus de feodo illo, qui de exitibus respondeant nobis vel ei cui eos assignaverimus. Et si dederimus vel vendiderimus alicui custodiam alicujus talis terre, & ille destructionem inde fecerit vel vastum, amittat ipsam custodiam; & tradatur duobus legalibus & discretis hominibus de feodo illo, qui similiter nobis respondeant, sicut predictum est. Custos autem quamdiu custodiam terre habuerit, sustentet domos, parcos, vivaria, stagna, molendina & cetera ad terram illam pertinentia de exitibus terre ejusdem; & reddat heredi, cum ad plenam etatem pervenerit, terram suam totam instauratam de catruis & wainnagiis, secundum quod tempus wainnagii exigit, & exitus terre rationabiliter poterunt sustinere. Heredes maritentur absque disparagatione: ita tamen quod, antequam contrahatur matrimonium ostendatur propinquis de consanguinitate ipsius heredis. Vidua post mortem mariti sui statim & sine difficultate habeat maritagium & hereditatem suam; nec aliquid det pro dote sua vel pro maritaggio suo vel hereditate sua, quam hereditatem maritus suus & ipsa tenuerint die obitus ipsius mariti: & maneat in domo mariti sui per quadraginta dies post mortem ipsius; infra quos assignetur ei dos sua. Nulla vidua distringatur ad se maritandum, dum voluerit vivere sine marito: ita tamen quod securitatem faciat, quod se non maritabit sine assensu nostro, si de nobis tenuerit, vel sine assensu domini sui de quo tenuerit, si de alio tenuerit. Nec nos, nec ballivi nostri seiscimus terram aliquam nec redditum pro debito aliquo, quamdiu caralla debitoris sufficiunt ad debitum reddendum: nec pleggii ipsius debitoris distringantur, quamdiu ipse capitalis debitor sufficit ad solutionem debiti: & si capitalis debitor defecerit in solutione debiti, non habens unde solvat, pleggii respondeant de debito; & si voluerint, habeant terras & redditus debitoris, donec sit eis satisfactum de debito quod ante pro eo solverint, nisi capitalis debitor monstraverit se esse quietum inde versus eosdem pleggios. Si quis mutuo ceperit aliquid a Judeis, plus vel minus, & moriatur antequam debitum illud solvatur, debitum non usuret quamdiu heres fuerit infra etatem, de quocunque teneat; & si debitum illud inciderit in manus nostras, nos non capiemus nisi cattallum contentum in carta. Et si quis moriatur, & debitum debeat Judeis, uxor ejus habeat dotem suam, & nichil reddat de debito illo: & si liberi ipsius defuncti, qui fuerint infra etatem remanserint, provideantur iis necessaria secundum tenementum quod fuerit defuncti; & de residuo solvatur debitum, salvo servitio domorum. Simili modo fiat de debitis, que debentur aliis quam Judeis. Nullum scutagium vel auxilium ponatur in regno nostro, nisi per commune Consilium regni nostri; nisi ad corpus nostrum redimendum, & primogenitum filium nostrum militem faciendum, & ad filiam nostram primogenitam semel maritandam: & ad hec non fiat nisi rationabile auxilium. Simili modo fiat de auxiliis de

civitate London. & civitas London. habeat omnes antiquas libertates & liberas consuetudines suas tam per terras quam per aquas. Preterea volumus & concedimus, quod omnes alii civitates & burgi & ville & portus habeant omnes libertates & liberas consuetudines suas. Et ad habendum commune Consilium regni de auxilio assidendo, aliter quam in tribus casibus predictis, vel de scutagio assidendo, summoneri faciemus archiepiscopos, episcopos, abbates, comites & majores barones sigillatim per literas nostras: & preterea faciemus summoneri in generali, per vicecomites & ballivos nostros, omnes illos qui de nobis tenent in capite, ad certum diem, scilicet ad terminum quadraginta dierum ad minus, & ad certum locum; & in omnibus literis illius summonitionis causam summonitionis exprimemus: & sic facta summonitione, negotium ad diem assignatum procedat secundum consilium illorum qui presentes fuerint, quamvis non omnes summoniti venerint. Nos non concedemus de cetero alicui, quod capiat auxilium de liberis hominibus suis; nisi ad corpus suum redimendum, & ad faciendum primogenitum filium suum militem, & ad primogenitam filiam suam semel maritandam: & ad hec non fiat nisi rationabile auxilium. Nullus distringatur ad faciendum magis servitium de feodo militis, nec de alio libero tenemento, quam inde debetur. Communia placita non sequantur curiam nostram, sed teneantur in aliquo loco certo. Recognitiones de nova disseisina, de morte antecessoris & de ultima presentatione non capiantur nisi in suis comitatibus, & hoc modo: nos, vel, si extra regnum fuerimus, capitalis iusticiarius noster, mittemus duos iusticiarios per unumquemque comitatum, per quatuor vices in anno, qui cum quatuor militibus cujuslibet comitatus, electis per comitatum, capiant in comitatu, & in die & loco comitatus, assisas predictas. Et si, in die comitatus, assise predictae capi non possint, tot milites & libere tenentes remaneant de illis qui interfuerint comitatui die illo, per quos possint judicia sufficienter fieri, secundum quod negotium fuerit majus vel minus. Liber homo non amercietur pro parvo delicto, nisi secundum modum delicti; & pro magno delicto amercietur secundum magnitudinem delicti; salvo contemento suo: & mercator eodem modo, salva mercandisia sua: & villanus eodem modo amercietur, salvo wainnagio suo, si inciderit in misericordiam nostram: & nulla dictarum misericordiarum ponatur nisi per sacramentum proborum hominum de visneto. Comites & barones non amercientur nisi per pares suos, & non nisi secundum modum delicti. Nullus clericus amercietur de laico tenemento suo, nisi secundum modum aliorum predictorum; & non secundum quantitatem beneficii sui ecclesiastici. Nec villa, nec homo distringatur facere pontes ad riparias nisi qui ab antiquo & de jure facere debent. Nullus vicecomes, constabularius, coronatores vel alii ballivi nostri teneant placita corone nostre. Omnes comitatus, hundredi, wapentakia, & trethingi sint ad antiquas firmas, absque ullo excremento, exceptis dominicis maneriis nostris. Si aliquis tenens de nobis laicum feodum, moriatur, & vicecomes vel ballivus noster ostendat litteras

nostras patentes de summonitione nostra de debito quod defunctus nobis debuit, liceat vicecomiti vel ballivo nostro arrachiare & inbreviare catalla defuncti inventa in laico feodo, ad valentiam illius debiti, per visum legalium hominum; ita tamen quod nichil inde amoveatur, donec persolvatur nobis debitum: quod clarum fuerit & residuum relinquatur executoribus ad faciendum testamentum defuncti: & si nichil nobis debeatur ab ipso, omnia catalla cedant defuncto, salvis uxori ipsius & pueris rationabilibus partibus suis. Si aliquis liber homo intestatus decesserit, catalla sua per manus propinquorum parentum & amicorum suorum per visum ecclesie distribuuntur; salvis unicuique debitis, que defunctus ei debebat. Nullus constabularius vel alius ballivus noster capiat blada vel alia catalla alicujus, nisi statim inde reddat denarios, aut respectum inde habere possit de voluntate venditoris. Nullus constabularius distringat aliquem militem ad dandum denarios pro custodia castri, si facere voluerit custodiam illam in propria persona sua, vel per alium probum hominem, si ipse eam facere non possit propter rationabilem causam: & si nos duxerimus vel miserimus eum in exercitum, erit quietus de custodia secundum quantitatem temporis quo per nos fuerit in exercitu. Nullus vicecomes vel ballivus noster vel aliquis alius capiat equos vel caretas alicujus liberi hominis pro cariagio faciendo, nisi de voluntate ipsius liberi hominis. Nec nos nec ballivi nostri capiemus alienum boscum ad castra vel alia agenda nostra, nisi per voluntatem ejus ipsius boscus ille fuerit. Nos non tenebimus terras illorum qui convicti fuerint de feloniam, nisi per unum annum & unam diem: & tunc reddantur terre dominis feodorum. Omnes kydelli de cetero deponantur penitus de Thamisiam & de Medewaye, & per totam Angliam, nisi per costeram maris. Breve quod vocatur Precipe, de cetero non fiat alicui de aliquo tenemento, unde liber homo amittere possit curiam suam. Una mensura vini sit per totum regnum nostrum, & una mensura cervisie, & una mensura bladi, scilicet quarterium Londoniense; & una latitudo pannorum tinctorum & russetorum & halbergettorum, scilicet due ulne infra listas: de ponderibus autem sit ut de mensuris. Nichil detur vel capiatur de cetero pro brevi inquisitionis de vita vel membris, sed gratis concedatur, & non negetur. Si aliquis teneat de nobis per feodifirmam vel per sokagium vel per burgagium, & de alio terram teneat per servitium militare, nos non habebimus custodiam heredis, nec terre sue que est de feodo alterius, occasione illius feodifirme vel sokagii vel burgagii; nisi ipsa feodifirma debeat servitium militare. Nos non habebimus custodiam heredis, vel terre alicujus quam tenet de nobis per servitium militare, occasione alicujus parve sergenterie quam tenet de nobis per servitium reddendi nobis cultellos vel sagittas vel hujusmodi. Nullus ballivus ponat de cetero aliquem ad legem simplici loquela sua, sine testibus fidelibus ad hoc inductis. Nullus liber homo capiatur vel imprisonetur aut dissaisietur aut utlagetur aut exuletur aut aliquo modo destruat; nec super eum ibimus, nec super eum mittemus, nisi per legale iudicium parium suorum, vel per legem terre. Nulli vendemus, nulli negabimus aut differemus rectum

aut

ant justitiam. Omnes mercatores habeant saluum & secutum exire de Anglia & venire in Angliam, & morari & ire per Angliam, tam per terram quam per aquam, ad emendum & vendendum, sine omnibus malis tollis, per antiquas & rectas consuetudines, preterquam in tempore gwerre, & si sint de terre contra nos gwerrina: & si tales inveniantur in terra nostra in principio gwerre, attachientur sine dampno corporum & rerum, donec sciatur a nobis vel capitali Justiciario nostro quomodo Mercatores terre nostre tractentur, qui tunc invenientur in terra contra nos gwerrina; & si nostri salvi sint ibi, alii salvi sint in terra nostra. Liceat unicuique de cetero exire de regno nostro & redire salvo & secure, per terram & per aquam, salva fide nostra, nisi tempore gwerre per aliquod breve tempus propter communem utilitatem regni; exceptis imprisonatis & utlagatis secundum legem regni, & gente de terra contra nos gwerrina; & Mercatoribus, de quibus fiat sicut predictum est. Si quis tenuerit de aliqua escaeta, sicut de honore Walingeford, Noringeham, Bononie, Lainkastrie, vel de aliis eskaetis, que sunt in manu nostra, & sunt Baronie, & obierit, heres ejus non det aliud relevium, nec faciat nobis aliud servitium, quam faceret baroni, si baronia illa esset in manu baronis; & nos eodem modo eam tenebimus quo Baro eam tenuit. Homines qui manent extra forestam non veniant de cetero coram justiciariis nostris de foresta per communes summonitiones; nisi sint in placito, vel pleggii alicujus vel aliquorum, qui attachiati sint pro foresta. Nos non faciemus justiciarios, constabularios, vicecomites vel Ballivos, nisi de talibus qui sciant legem regni, & eam bene velint observare. Omnes barones, qui fundaverunt abbatias, unde cartas regum Anglie vel antiquam tenuram, habeant earum custodiam, cum vacaverint, sicut habere debent. Omnes foreste, que aforestate sunt tempore nostro, statim deafforestentur: & ita fiat de ripariis, que per nos tempore nostro posite sunt in defenso. Omnes male consuetudines de forestis, warennis, & de forestariis & warennariis, vicecomitibus, & eorum ministris, ripariis & earum custodibus statim inquirantur in quolibet comitatu per duodecim milites juratos de eodem comitatu, qui debent eligi per probos homines ejusdem comitatus: & infra quadraginta dies post inquisitionem factam, penitus, ita quod nunquam revocentur, deleantur o---. Omnes obsides & cartas statim redemus, que liberate fuerunt nobis ab Anglicis in securitatem pacis vel fidelis servitii. Nos amovebimus penitus de balliviis parentes Gerardi de Athyes, quod de cetero nullam habeant balliviam in Anglia; Engelardum de Cygony, Andream, Petrum & Gyonem de Cancell. Gyonem de Cygony, Galfridum de Martyni & fratres ejus, Philip-pum Markum & fratres ejus, & Galfridum nepotem ejus, & totam sequelam eorundem. Et, statim post pacis reformationem, amovebimus de regno omnes alienigenas milites, balistarios, servientes stipendiarios, qui venerint cum equis & armis ad nocumentum regni. Si quis fuerit disseisitus vel elongatus per nos, sine legali judicio parium suorum, de terris, castallis, libertatibus vel jure suo, statim ea ei restituemus: & si contentio super hoc orta fuerit, tunc

tunc inde fiat per iudicium viginti quinque baronum, de quibus fit mentio inferius in securitate pacis. De omnibus autem illis, de quibus aliquis discessit fuerit vel elongatus, sine legali iudicio parium suorum, per Henricum regem patrem nostrum vel per Ricardum regem fratrem nostrum, que in manu nostra habemus, vel que alii tenent, que nos oporteat warrantizare, respectum habebimus usque ad communem terminum crucesignatorum; exceptis illis, de quibus placitum motum fuit vel inquisitio facta per preceptum nostrum ante susceptionem crucis nostre: cum autem redierimus de peregrinatione nostra, vel si forte remanserimus a peregrinatione nostra, statim inde plenam iusticiam exhibebimus. ---o Eundem autem respectum habebimus de forestis deafforestandis, quas Henricus pater noster vel Ricardus frater noster afforestaverunt, & de custodiis terrarum, que sunt de alieno feodo, cuiusmodi custodias hucusque habuimus, occasione feodi quod aliquis de nobis tenuit per servitium militare, & de abbatiis que fundate fuerint in feodo alterius quam nostro, in quibus dominus feodi dixerit se jus habere; & cum redierimus, vel si remanserimus a peregrinatione nostra, super hiis conquerentibus plenam iusticiam statim exhibebimus. Nullus capiat nec imprisonetur propter appellum femine de morte alterius quam viri sui. Omnes fines, qui injuste & contra legem terre facti sunt nobiscum, & omnia amerciamenta, facta injuste & contra legem terre, omnino condonentur: vel fiat inde per iudicium viginti quinque baronum, de quibus fit mentio inferius in securitate pacis, vel per iudicium majoris partis eorundem; una cum predicto Stephano Cantuariensi archiepiscopo, si interesse poterit, & aliis quos secum ad hoc vocare voluerit; & si interesse non poterit, nichilominus procedat negotium sine eo: ita quod, si aliquis vel aliqui de predictis viginti quinque Baronibus fuerint in simili querela, amoveantur, quantum ad hoc iudicium, & alii loco illorum per residuos de eisdem viginti quinque, tantum ad hoc faciendum electi & jurati, substituantur. Si nos discessimus vel elongavimus Walenses de terris vel libertatibus vel rebus aliis, sine legali iudicio parium suorum, -- eis statim reddantur; &, si contentio super hoc orta fuerit, tunc inde fiat in Marchia, per iudicium parium suorum, de tenementis Anglie, secundum legem Anglie, de tenementis Wallie secundum legem Wallie, de tenementis Marchie secundum legem Marchie: idem facient Walenses nobis & nostris. De omnibus autem illis, de quibus aliquis Walensium discessit fuerit vel elongatus sine legali iudicio parium suorum, per Henricum regem patrem nostrum vel Ricardum regem fratrem nostrum, que nos in manu nostra habemus, vel que alii tenent, que nos oporteat warrantizare, respectum habebimus usque ad communem terminum crucesignatorum; illis exceptis de quibus placitum motum fuit vel inquisitio facta per preceptum nostrum, ante susceptionem crucis nostre: cum autem redierimus, vel si forte remanserimus a peregrinatione nostra, statim eis inde plenam iusticiam exhibebimus, secundum leges Walensium & partes predictas. Nos reddemus filium Lewelinum statim, & omnes obsides de Wallia, & cartas que nobis

nobis liberate fuerunt in securitatem pacis. Nos faciemus Alexandro regi Scottorum, de sororibus suis & obsidibus reddendis; & libertatibus suis, & jure suo, secundum formam in qua faciemus aliis baronibus nostris Anglie; nisi aliter esse debeat per cartas quas habemus de Wilhelmo patre ipsius, quondam rege Scottorum: & hoc erit per iudicium patrum suorum in curia nostra. Omnes autem istas consuetudines predictas & libertates, quas nos concessimus in regno nostro tenendas, quantum ad nos pertinet erga nostros omnes de regno nostro, tam clerici quam laici observent, quantum ad se pertinet erga suos. Cum autem pro Deo, & ad emendationem regni nostri, & ad melius sopiendam discordiam inter nos & barones nostros ortam, hec omnia predicta concesserimus, volentes ea integra & firma stabilitate gaudere, * * facimus & concedimus eis securitatem subscriptam; videlicet, quod barones eligant viginti quinque barones de regno, quos voluerint, qui debeant pro totis viribus suis observare, tenere, & facere observari, pacem & libertates quas eis concessimus & hac presenti carta nostra confirmavimus; ita scilicet, quod si nos vel justiciarius noster vel Ballivi nostri vel aliquis de Ministris nostris in aliquo erga aliquem deliquerimus, vel aliquem articulorum pacis aut securitatis transgressi fuerimus, & delictum ostensum fuerit quatuor baronibus de predictis viginti quinque baronibus, illi quatuor barones accedant ad nos, vel ad justiciarium nostrum, si fuerimus extra regnum, proponentes nobis excessum, petent, ut excessum illum sine dilatione faciamus emendari: & si nos excessum non emendaverimus, vel, si fuerimus extra regnum, justiciarius noster non emendaverit, infra tempus quadraginta dierum, computandum a tempore quo monstratum fuerit nobis, vel justiciario nostro, si extra regnum fuerimus, predicti quatuor Barones referant causam illam ad residuos de viginti quinque baronibus; & illi viginti quinque barones, cum communa totius terre, distringent & gravabunt nos modis omnibus quibus poterunt, scilicet per captionem castrorum, terrarum, possessionum, & aliis modis quibus poterunt, donec fuerit emendatum secundum arbitrium eorum: salva persona nostra, & Regine nostre, & liberorum nostrorum: & cum fuerit emendatum, intendunt nobis sicut prius fecerunt. Et quicumque voluerit de terra, juret, quod ad predicta omnia exequenda parebit mandatis predictorum viginti quinque baronum, & quod gravabit nos pro posse suo cum ipsis: & nos publice & libere damus licentiam jurandi cuilibet qui jurare voluerit, & nulli unquam jurare prohibebimus. Omnes autem illos de terra, qui per se & sponte sua noluerint jurare viginti quinque baronibus de distringendo & gravando nos cum eis, faciemus jurare eisdem de mandato nostro, sicut predictum est. Et si aliquis de viginti quinque baronibus decesserit, vel a terra recesserit, vel aliquo alio modo impeditus fuerit, quo minus ista predicta possent exequi, qui residui fuerint de predictis viginti quinque baronibus eligant alium loco ipsius pro arbitrio suo, qui simili modo erit juratus quo & ceteri. In omnibus autem, que illis viginti quinque baronibus committuntur exequenda, si forte ipsi viginti quinque presentes, fuerint & inter se super

uper re aliqua discordaverint, vel aliqui ex eis summoniti nolint vel nequeant interesse, ratum habeatur & firmum, quod major pars eorum qui presentes fuerint providerit vel preceperit, ac si omnes viginti quinque in hoc consensissent: & predicti viginti quinque jurent, quod omnia antedicta fideliter observabunt & pro toto posse suo facient observari. Et nos nichil impetrabimus ab aliquo per nos nec per alium, per quod aliqua istarum concessionum & libertatum revocetur vel minuatur: & si aliquid tale impetratum fuerit, irritum sit & inane; & numquam eo utemur per nos nec per alium. Et omnes malas voluntates, indignationes, & rancores ortos inter nos & homines nostros, clericos & laicos, a tempore discordie, plene omnibus remisimus & condonavimus. Preterea, omnes transgressionis factas occasione ejusdem discordie, a pascha anno regni nostri sextodecimo usque ad pacem reformatam, plene remisimus omnibus clericis & laicis, & quantum ad nos pertinet plene condonavimus. Et insuper fecimus eis fieri litteras testimoniales patentes domini Stephani Cantuariensis archiepiscopi, domini Henrici Dublinensis archiepiscopi, & episcoporum predictorum, & magistri Pandulfi, super securitate ista, & concessionibus prefatis. Quare volumus & firmiter precipimus, quod Anglicana ecclesia libera sit; & quod homines in regno nostro habeant & teneant omnes prefatas libertates, jura & concessionem bene & in pace, libere & quiete, plene & integre, sibi & heredibus suis, de nobis & heredibus nostris in omnibus rebus & locis in perpetuum, sicut predictum est. Juratum est autem, tam ex parte nostra quam ex parte baronum, quod hec omnia supradicta, bona fide, & sine malo ingenio, observabuntur; testibus supradictis, & multis aliis. Data per manum nostram in prato, quod vocatur Runingmede, inter Windelesfor. & Stanes, quinto decimo die Junii, anno regni nostri septimo decimo.

o---*deleantur* per eosdem; ita quod nos hoc sciamus prius, vel Justiciarius noster, si in Anglia non fuerimus.

---o *Eundem respectum habebimus*, & eodem modo, de justitia exhibenda, *de forestis deafforestandis vel remansuris forestis.*

— *Parium suorum* in Angl. vel in Wallia.

* * *Gaudere* in perpetuum.

*The CHARTER of Liberties, or the Great Charter
granted by King JOHN to his Subjects in the 17th Year of his Reign.*

JOH^N by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitain, and Earl of Anjou:
To the Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries of the Forests, Sheriffs, Governors, Officers, and to all Bailiffs and other his faithful Subjects, Greeting. Know ye, that we, in the Presence of God, and for the Health of our Soul, and the Souls of our Ancestors and Heirs, and to the Honour of God, and the Exaltation of Holy Church, and Amendment of our Kingdom, by Advice of our venerable Fathers, Stephen Archbishop of Canterbury, Primate of all England, and Cardinal of the holy Roman Church; Henry Archbishop of Dublin, William Bishop of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, Bishops; and Master Pandulph the Pope's Sub-Deacon and antient Servant, Brother Aymerick Master of the Temple in England, and the noble Persons William Marescal Earl of Pembroke, William Earl of Salisbury, William Earl of Warren, William Earl of Arundel, Alan de Galoway, Constable of Scotland, Warin Fitz-Gerald, Peter Fitz-Herebert, and Hubert de Burgh, Seneschal of Poitou, Hugo de Neville, Matthew Fitz-Herebert, Thomas Basset, Alan Basset, Philip de Albiney, Robert de Ropele, John Marescall, John Fitz-Hugh, and others our Liegemen; have in the first Place granted to God, and by this our present Charter, confirmed for us and our Heirs for ever, That the Church of England shall be free, and enjoy her whole Rights and Liberties inviolable. And we will have them so to be observed, which appears from hence, that the Freedom of Elections, which was reckoned most necessary for the Church of England, of our own free Will and Pleasure we have granted and confirmed by our Charter, and obtained the Confirmation of from Pope Innocent the Third, before the Discord between Us and our Barons, which Charter we shall observe, and do will it to be faithfully observed by our Heirs for ever. We have also granted to all the Freemen of our Kingdom, for Us and our Heirs for ever, all the underwritten Liberties, to have and to hold, them and their Heirs, of Us and our Heirs. If any of our Earls, or Barons, or others, who hold of Us in Chief by Military Service, shall die, and at the Time of his Death his Heir shall be of full Age, and owe a Relief, he shall have his Inheritance by the antient Relief; that is to say, the Heir or Heirs of an Earl, for a whole Earl's Barony, by an hundred Pounds; the Heir or Heirs of a Baron, for a whole Barony, by an hundred Pounds; the Heir or Heirs of a Knight, for a whole Knight's Fee, by an hundred Shillings at most; and he that oweth less shall give less, according to the antient Custom of Fees. But if the Heir of any such should be under Age, and shall be in Ward, when he comes of Age, he shall have his Inheritance without Relief or without Fine. The Warden of the Land of such Heir, who shall be under Age, shall take of the Land of such Heir only reasonable Issues, reasonable Customs, and reasonable Services; and that without Destruction or Waste of the Men or Things: And if we shall commit the Guardianship of those Lands to the Sheriff, or any other, who is answerable to us for the Issues of the Land; and

if he shall make Destruction and Waste upon the Ward-Lands, we will compel him to give Satisfaction, and the Land shall be committed to two lawful and discreet Tenants of that Fee, who shall be answerable for the Issues to us, or to him whom we shall assign. And if we shall give or sell the Wardship of any such Lands to any one, and he makes Destruction or Waste upon them, he shall lose the Wardship, which shall be committed to two lawful and discreet Tenants of that Fee, who shall in like Manner be answerable to us, as hath been said. But the Warden, so long as he shall have the Wardship of the Land, shall keep up and maintain the Houses, Parks, Warrens, Ponds, Mills, and other Things pertaining to the Land, out of the Issues of the same Land; and shall restore to the Heir, when he comes of full Age, his whole Land stocked with Plows and Carriages, according as the Time of Wainage shall require, and the Issues of the Land can reasonably bear. Heirs shall be married without Disparagement, [so as that before Matrimony shall be contracted, those who are nearest to the Heir of Blood shall be made acquainted with it.] A Widow, after the Death of her Husband, shall forthwith, and without any Difficulty, have her Marriage, and her Inheritance; nor shall she give any Thing for her Dower, or her Marriage, or her Inheritance, which her Husband and she held at the Day of his Death: And she may remain in the Capital Messuage or Mansion-House of her Husband, forty Days after his Death; within which Time her Dower shall be assigned. No Widow shall be distrein'd to marry her self so long as she has a Mind to live without a Husband. But yet she shall give Security that she will not marry without our Assent, if she holds of Us, or without the Consent of the Lord of whom she holds, if she holds of another. Neither we nor our Bailiffs shall seize any Land or Rent for any Debt, so long as there shall be Chattels of the Debtor's upon the Premises, sufficient to pay the Debt. Nor shall the Sureties of the Debtor be distreined, so long as the principal Debtor is sufficient for the Payment of the Debt. And if the principal Debtor fail in the Payment of the Debt, not having wherewithal to discharge it, then the Sureties shall answer the Debt, and if they will they shall have the Lands and Rents of the Debtor, until they shall be satisfied for the Debt which they paid for him; unless the principal Debtor can show himself acquitted thereof, against the said Sureties. [If any one have borrowed any Thing of the *Jews* more or less, and dies before the Debt be satisfied, there shall be no Interest paid for that Debt so long as the Heir is under Age, of whomsoever he may hold: And if the Debt falls into our Hand, we will take only the Chatel mentioned in the Charter or Instrument.] [And if any one shall die indebted to the *Jews*, his Wife shall have her Dower, and pay nothing of that Debt; and if the Deceased left Children under Age, they shall have Necessaries provided for them according to the Tenement (or real Estate) of the Deceased, and out of the Residue the Debt shall be paid; saving however the Service of the Lords. In like Manner let it be with the Debts due to other Persons than *Jews*.] No *Scutage* or Aid shall be imposed in our Kingdom, unless by the Common Council of

our Kingdom, except to redeem our Person, and to make our eldest Son a Knight, and once to marry our eldest Daughter; and for this there shall only be paid a reasonable Aid. [In like Manner it shall be concerning the Aids of the City of *London*; and] the City of *London* shall have all its antient Liberties and free Customs, as well by Land as by Water. Furthermore, we will and grant that all the other Cities and Burroughs, and Towns, and Ports, shall have all their Liberties and free Customs; and shall have the Common Council of the Kingdom concerning the Assessment of their Aids, except in the three Cases aforesaid. [And for the assessing of Scutages we shall cause to be summoned the Archbishops, Bishops, Abbots, Earls and great Barons of the Realm singly by our Letters.] [And furthermore, we shall cause to be summoned in general by our Sheriffs and Bailiffs, all others who hold of us in Chief, at a certain Day, that is to say, forty Days (before their Meeting) at least, to a certain Place; and in all Letters of such Summons, we will declare the Cause of the Summons.] [And Summons being thus made, the Business shall proceed on the Day appointed, according to the Advice of such as shall be present, although all that were summoned come not.] We will not for the future grant to any one, that he may take Aid of his own free-Tenants, unless to redeem his Body; and to make his eldest Son a Knight, and once to marry his eldest Daughter; and for this there shall only be paid a reasonable Aid. No Man shall be distreined to perform more Service for a Knight's Fee, or other Free Tenement, than is due from thence. Common Pleas shall not follow our Court, but shall be holden in some certain Place: Trials upon the Writs of *Novel Disseisin*, and of *Mort d'Ancestor*, and of *Darrein Presentment*, shall be taken but in their proper Counties and after this Manner: We, or (if we shall be out of the Realm) our Chief Justiciary, shall send two Justiciaries through every County four Times a Year; who with the Four Knights chosen out of every Shire, by the People, shall hold the said Assizes in the County, on the Day, and at the Place, appointed. And if any Matters cannot be determined on the Day appointed to hold the Assizes in each County, so many of the Knights and Freeholders as have been at the Assizes aforesaid, shall be appointed to decide them, as is necessary, according as there is more or less Business. A Free-Man shall not be amerced for a small Fault, but according to the Degree of the Fault; and for a great Crime, in Proportion to the Heinousness of it: Saving to him his Contenment, and after the same Manner a Merchant, saving to him his Merchandise. And a Villain shall be amerced after the same Manner, saving to him his Wainage, if he falls under our Mercy; and none of the aforesaid Amerciaments shall be assessed but by the Oath of honest Men of the Neighbourhood. Earls and Barons shall not be amerced but by their Peers, and according to the Quality of the Offence. No ecclesiastical Person shall be amerced but according to the Proportion aforesaid, and not according to the Value of his ecclesiastical Benefice. Neither a Town, nor any Person, shall be distreined to make Bridges over Rivers, unless that anciently and of Right they are bound to do it. No Sheriff,

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Constable, Coroners, or other our Bailiffs, shall hold Pleas of the Crown. [All Counties, Hundreds, Wapentakes, and Tretthings, shall stand at the old Ferm, without any Increase, except in our Demesne Lands.] If any one that holds of us a Lay-Fee, dies, and the Sheriff or our Bailiff shew our Letters Patents of Summons concerning the Debt, due to us from the Deceased; it shall be lawful for the Sheriff or our Bailiff to attach and register the Chattels of the Deceased found upon his Lay-Fee, to the Value of the Debt by the View of lawful Men, so as nothing be removed until our whole Debt be paid; and the rest shall be left to the Executors to fulfil the Will of the Deceased; and if there be nothing due from him to us, all the Chattels shall remain to the Deceased, saving to his Wife and Children their reasonable Shares. [If any Freeman dies Intestate, his Chattels shall be distributed by the Hands of his nearest Relations and Friends by View of the Church, saving to every one his Debts, which the Deceased owed.] No Constable or Bailiff of ours shall take Corn or other Chattels of any Man, unless he presently gives him Money for it, or hath Respite of Payment from the Seller. No Constable shall distrein any Knight to give Money for Castle-Guard, if he himself shall do it in his own Person, or by another able Man, in Case he shall be hindred by any reasonable Cause. And if we shall lead him, or if we shall send him into the Army, he shall be free from Castle-Guard for the Time he shall be in the Army, by our Command. No Sheriff or Bailiff of ours, or any other, shall take Horses or Carts of any for Carriage. Neither shall we or our Officers or others, take any Man's Timber for our Castles, or other Uses, unless by the Consent of the Owner of the Timber. We will retain the Lands of those that are convicted of Felony but one Year and a Day, and then they shall be delivered to the Lord of the Fee. All Wares for the Time to come shall be demolished in the Rivers of *Thames* and *Medway*, and throughout all *England*, except upon the Sea Coast. The Writ, which is called *Precipe*, for the future, shall not be granted to any one of any Tenement, whereby a Freeman may lose his Cause. There shall be one Measure of Wine and one of Ale, through our whole Realm, and one Measure of Corn; that is to say, the *London-Quarter*; and one Breadth of dyed Cloth and *Russets* and *Haberjets*, that is to say, two Ells within the List; and the Weights shall be as the Measures. From henceforward nothing shall be given or taken for a Writ of Inquisition, from him that desires an Inquisition of Life or Limbs, but shall be granted *gratis*, and not denied. If any one holds of us by Fee-Farm, or Socage, or Burgage, and holds Lands of another by Military-Service, we will not have the Wardship of the Heir or Land, which belongs to another Man's Fee, by Reason of what he holds of us by Fee-Farm, Socage, or Burgage: Nor will we have the Wardship of the Fee-Farm, Socage or Burgage, unless the Fee-Farm is bound to perform Military-Service. We will not have the Wardship of an Heir, nor of any Land, which he holds of another by Military-Service, by Reason of any *Petit-Serjeanty* he holds of us, as by the Service of giving us Daggers, Arrows, or the like. No

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Bailiff for the future shall put any Man to his Law, upon his single Accusation, without credible Witnesses produced to prove it. No Freeman shall be taken, or imprisoned, or disseis'd, or cut-law'd, or banish'd, or any Ways destroy'd; nor will we pass upon him, or commit him to Prison, unless by the legal Judgment of his Peers, or by the Law of the Land. We will sell to no Man, we will deny no Man, or defer Right or Justice. All Merchants shall have safe and secure Conduct to go out of, and to come into *England*, and to stay there, and to pass, as well by Land as by Water, to buy and sell by the antient and allowed Customs, without any evil Tolls, except in Time of War, or when they shall be of any Nation in War with us: And if there shall be found any such in our Land in the Beginning of a War, they shall be attached, without Damage to their Bodies or Goods, until it may be known unto us, or our Chief Justiciary, how our Merchants be treated in the Nation at War with us: And if ours be safe there, they shall be safe in our Land. [It shall be lawful for the Time to come, for any one to go out of our Kingdom, and return safely and securely by Land or by Water, saving his Allegiance to us; unless in Time of War by some short Space for the common Benefit of the Kingdom, except Prisoners and Out-Laws, (according to the Law of the Land) and People in War with us, and Merchants who shall be in such Condition as is above-mentioned.] If any Man holds of any Escheat, as of the Honour of *Wallingford*, *Nottingham*, *Bologne*, *Lancaster*, or of other Escheats which are in our Hands, and are Baronies, and dies, his Heir shall not give any other Relief, or perform any other Service to us than he would to the Baron, if the Barony were in Possession of the Baron; we will hold it after the same Manner the Baron held it. [Those Men who dwell without the Forest, from henceforth shall not come before our Justiciaries of the Forest upon Summons, but such as are impleaded, or are Pledges for any that were attached for something concerning the Forest.] We will not make any Justiciaries, Constables, Sheriffs, or Bailiffs, but what are knowing in the Law of the Realm, and are disposed duly to observe it. All Barons, who are Founders of Abbies, and have Charters of the King of *England* for the Advowson, or are entitled to it by antient Tenure, may have the Custody of them, when void, as they ought to have. All Woods that have been taken into the Forests, in our own Time, shall forthwith be laid out again, and the like shall be done with the Rivers that have been taken or fenced in by us, during our Reign. All evil Customs concerning Forests, Warrens, and Foresters, Warreners, Sheriffs, and their Officers, Rivers and their Keepers, shall forthwith be enquired into in each County, by twelve Knights of the same Shire chosen by the most creditable Persons in the same County, and upon Oath; and, within forty Days after the said Inquest, be utterly abolished, so as never to be restored o---. We will immediately give up all Hostages and Engagements, delivered unto us by our *English* Subjects, as Securities for their keeping the Peace, and yielding us faithful Service. We will entirely remove from our Bailiwicks the Relations of *Gerard de Athyes*, so as that for the future they shall have no Bailiwick in *England*. We will

will also remove *Engeland de Cygony, Andrew, Peter and Gyon de Conceles, Gyon de Cygony, Geoffrey de Martyn, and his Brothers, Philip Mark, and his Brothers, and his Nephew Geoffrey, and their whole Retinue.* And as soon as Peace is restored, we will send out of the Kingdom all foreign Soldiers, Crossbowmen, and Stipendiaries, who are come with Horses and Arms, to the Injury of our People. If any one hath been dispossessed, or deprived by us without the legal Judgment of his Peers, of his Lands, Castles, Liberties or Right, we will forthwith restore them to him; and if any Dispute arises upon this Head, let the Matter be decided by the five and twenty Barons hereafter mentioned, for the Preservation of the Peace. As for all those Things, of which any Person has, without the legal Judgment of his Peers, been dispossessed or deprived, either by King *Henry* our Father, or our Brother King *Richard*, and which we have in our Hands, or are possessed by others, and we are bound to warrant and make good, we shall have a Respite, 'till the Term usually allowed the Croises; excepting those Things about which there is a Suit depending, or whereof an Inquest hath been made by our Order, before we undertook the Crusade. But when we return from our Pilgrimage, or if we do not perform it, we will immediately cause full Justice to be administered therein. The same Respite we shall have for disafforesting the Forests---o, which *Henry* our Father, or our Brother *Richard* have afforested; and for the Wardship of the Lands which are in another's Fee, in the same Manner, as we have hitherto enjoyed those Wardships, by Reason of a Fee held of us by Knight's Service; and for the Abbies founded in any other Fee than our own, in which the Lord of the Fee claims a Right: And when we return from our Pilgrimage, or if we should not perform it, we will immediately do full Justice to all the Complainants in this Behalf. No Man shall be taken or imprisoned, upon the Appeal of a Woman; for the Death of any other Man than her Husband. All unjust and illegal Fines, and all Amerciaments imposed unjustly, and contrary to the Law of the Land, shall be entirely forgiven or else be left to the Decision of the five and twenty Barons hereafter mentioned for the Preservation of the Peace, or of the major Part of them, together with the foresaid *Stephen* Archbishop of *Canterbury*, if he can be present, and others whom he shall think fit to take along with him; and if he cannot be present, the Business shall notwithstanding go on without him. But so that, if one or more of the foresaid five and twenty Barons be Plaintiffs in the same Cause, they shall be set aside, as to what concerns this particular Affair; and others be chosen in their room out of the said five and twenty, and sworn by the rest to decide that Matter. If we have disseised or dispossessed the *Welsh* of any Lands, Liberties, or other Things, without the legal Judgment of their Peers, they shall immediately be restored to them. And if any Dispute arises upon this Head, the Matter shall be determined in the *Marches*, by the Judgment of their Peers: For Tenements in *England* according to the Law of *England*: For Tenements in *Wales* according to the Law of *Wales*: The same shall the *Welsh* do to us and our

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Subjects. As for all those Things, of which any *Welshman* hath, without the legal Judgment of his Peers, been disseised or deprived, by King *Henry* our Father, or our Brother King *Richard*, and which we either have in our Hands, or others are possessed of, and we are obliged to warrant it; we shall have a Respite till the Time generally allowed the Croises: Excepting those Things about which a Suit is depending, or whereof an Inquest has been made by our Order, before we undertook the Crusade. But when we return, or if we stay at home and do not perform our Pilgrimage, we will immediately do them full Justice according to the Laws of the *Welsh*, and of the Parts afore-mentioned. We will without Delay dismiss the Son of *Lewelin*, and all the *Welsh* Hostages, and release them from the Engagements they entered into with us for the Preservation of the Peace. We shall treat with *Alexander* King of *Scots*, concerning the restoring of his Sisters and Hostages, and his Right and Liberties, in the same Form and Manner as we shall do to the rest of our Barons of *England*; unless by the Engagements which his Father *William* late King of *Scots* hath entered into with us it ought to be otherwise; and this shall be left to the Determination of his Peers in our Court. All the afore-said Customs and Liberties which we have granted, to be holden in our Kingdom, as much as it belongs to us towards our People; all our Subjects, as well Clergy as Laity, shall observe as far as they are concerned, towards their Dependents. And, whereas for the Honour of God, and the Amendment of our Kingdom, and for quiering the Discord that has arisen between us and our Barons, we have granted all the Things afore-said; willing to render them firm and lasting *,* we do give and grant our Subjects the following Security; namely, that the Barons may chuse five and twenty Barons of the Kingdom, whom they think convenient, who shall take Care, with all their Might, to hold and observe, and cause to be observed, the Peace and Liberties we have granted them, and by this our present Charter confirmed. So as that, if we, our Justiciary, our Bailiffs, or any of our Officers, shall in any Case fail in the Performance of them, towards any Person; or shall break through any of these Articles of Peace and Security, and the Offence is notified to four Barons, chosen out of the five and twenty afore-mentioned, the said four Barons shall repair to us, or our Justiciary if we are out of the Realm, and laying open the Grievance, shall petition to have it redressed without Delay; and if it is not redressed by us, or if we should chance to be out of the Realm, if it is not redressed by our Justiciary within forty Days, reckoning from the Time it has been notified to us, or to our Justiciary if we should be out of the Realm; the four Barons afore-said shall lay the Cause before the rest of the five and twenty Barons; and the said five and twenty Barons, together with the Community of the whole Kingdom, shall distrein and distress us all the Ways possible; namely, by seizing our Castles, Lands, Possessions, and in any other Manner they can, till the Grievance is redressed according to their Pleasure, saving harmless our own Person, and the Person of our Queen and Children; and when it is redressed, they shall obey us as before. And any Person whatsoever in the

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Kingdom may swear, that he will obey the Orders of the five and twenty Barons aforesaid, in the Execution of the Premises, and that he will distress us, jointly with them, to the utmost of his Power; and we give publick and free Liberty to any one that will swear to them, and never shall hinder any Person from taking the same Oath. As for all those of our Subjects, who will not, of their own Accord, swear to join the five and twenty Barons, in distressing and distressing us, we will issue our Order to make them take the same Oath, as aforesaid. And if any of the five and twenty Barons dies, or goes out of the Kingdom, or is hindered any other Way, from putting the Things aforesaid in Execution, the rest of the said five and twenty Barons may chuse another in his room, at their Discretion, who shall be sworn in like Manner, as the rest. In all Things that are committed to the Charge of these five and twenty Barons, if, when they are all assembled together, they should happen to disagree about any Matter; or some of them, when summoned, will not, or cannot come, whatever is agreed upon, or enjoined by the major Part of those who are present, shall be reputed as firm and valid, as if all the five and twenty had given their Consent; and the aforesaid five and twenty shall swear, that all the Premises they shall faithfully observe, and cause with all their Power to be observed. And we will not, by ourselves, or others, procure any Thing, whereby any of these Concessions and Liberties be revoked, or lessened; and if any such Thing be obtained, let it be null and void; neither shall we ever make Use of it, either by ourselves, or any other. And all the Ill-will, Anger, and Malice, that hath arisen between us and our Subjects, of the Clergy and Laity, from the first breaking out of the Dissension between us, we do fully remit, and forgive. Moreover all Trespasses occasioned by the said Dissension, from *Easter* in the sixteenth Year of our Reign, till the Restauration of Peace and Tranquillity, we hereby entirely remit, to all, Clergy as well as Laity, and as far as in us lies, do fully forgive. We have moreover granted them our Letters Patents testimonial of *Stephen* Lord Archbishop of *Canterbury*, *Henry* Lord Archbishop of *Dublin*, and the Bishops aforesaid, as also of Master *Pandulph*, for the security and Concessions aforesaid. Wherefore we will and firmly enjoin, that the Church of *England* be free, and that all Men in our Kingdom, have and hold, all the foresaid Liberties, Rights, and Concessions, truly and peaceably, freely and quietly, fully and wholly, to themselves and their Heirs, of Us and our Heirs, in all Things and Places for ever, as is aforesaid. It is also sworn, as well on our Part, as on the Part of the Barons, that all the Things aforesaid shall faithfully and sincerely be observed. *Given under our Hand, in the Presence of the Witnesses above-named, and many others, in the Meadow called Runingmede, between Windelesore and Stanes, the 15th Day of June, in the 17th Year of our Reign.*

o---So as we are first acquainted therewith, or our Justiciary if we should not be in *England*.

o---And in the same Manner, about administering Justice, deaffecting the Forests, or letting them continue.

— Either in *England* or *Wales*.

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